

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT NEITHERCOTT,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

Case No. C10-765-BAT

**ORDER GRANTING  
PLAINTIFF'S APPLICATION  
TO PROCEED IN FORMA  
PAUPERIS**

After careful consideration of plaintiff's application to proceed in forma pauperis (Dkt. 1), the governing law and balance of the record, the Court ORDERS:

(1) Plaintiff's application to proceed in forma pauperis is **GRANTED**. Plaintiff does not appear to have funds available to afford the \$350.00 filing fee.

(2) The Clerk of Court is directed to send a copy of this Order to plaintiff's counsel, and to issue summonses to plaintiff's counsel to enable proper service of the complaint on the appropriate parties. **It is the responsibility of plaintiff's counsel to properly serve copies of the complaint along with appropriate summonses as required by Rule 4 of the Federal Rules of Civil Procedure.**

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1 (3) The Clerk is further directed to send to plaintiff a copy of the Notice of Initial  
2 Assignment and Consent to Proceed before a United States Magistrate Judge.

3 DATED this 12<sup>th</sup> day of May, 2010.

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5 BRIAN A. TSUCHIDA  
6 United States Magistrate Judge  
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